

1
2
3
4
5
6
7
8
9
10
11 **IN THE UNITED STATES DISTRICT COURT**
12 **DISTRICT OF NEVADA, NORTHERN DIVISION**

13 MISSION HEALTHCARE SERVICES,
14 LLC, a California limited liability company;
15 and HEALTHY LIVING AT HOME -
16 CARSON CITY, LLC, a Nevada Limited
17 Liability Company,

18 Plaintiffs,

19 v.

20 BATTLE BORN HOME HEALTH, LLC, a
21 Nevada limited liability company; JESSICA
22 CONNANT (CRISP), an individual;
23 ANGEL VASQUEZ BARNES, an
24 individual; and JOSEPH BARNES, an
25 individual,

26 Defendants.

Case No.: 3:22-cv-00333-LRH-CLB

**ORDER GRANTING STIPULATION
TO EXTEND PLAINTIFFS'
DEADLINE TO FILE RESPONSES TO
DEFENDANTS' MOTIONS TO
DISMISS (SECOND REQUEST) AND
TO EXTEND DEADLINE TO FILE
CASE CONFERENCE REPORT
(FIRST REQUEST), AND PROPOSED
ORDER**

27 **STIPULATION**

28 Plaintiffs MISSION HEALTHCARE SERVICES, LLC and HEALTHY LIVING AT
HOME – CARSON CITY, LLC, (“Plaintiffs”) and Defendants ANGEL VASQUEZ BARNES
and JOSEPH BARNES (together, the “Barnes”), and Defendants JESSICA CONNANT
(CRISP) (“Connant”) and BATTLE BORN HOME HEALTH, LLC (“Battle Born,” and
together with Plaintiffs, Connant, and the Barnes, the “Parties”), by and through their respective
counsel of record, hereby stipulate and agree as follows.

1 1. Connant and Battle Born filed their Motion to Dismiss, or in the alternative, Motion
2 for a More Definite Statement (the “Battle Born MTD”) on October 3, 2022 (ECF No. 19).

3 2. The Barnes filed their Motion to Dismiss, or in the alternative, Motion for a More
4 Definite Statement (the “Barnes MTD”) on October 14, 2022 (ECF No. 25).

5 3. Plaintiffs and Defendants stipulated to extend the deadline for Plaintiffs to file
6 responses to the Battle Born MTD and the Barnes MTD, until and including November 4, 2022,
7 which Order granting said stipulation was entered herein on October 17, 2022 (ECF No. 26).

8 4. Due to a medical procedure of lead counsel for Plaintiffs, the Parties agree to extend
9 the deadline for Plaintiffs’ responses to the Battle Born MTD and the Barnes MTD, until and
10 including November 18, 2022.

11 5. Additionally, on October 4, 2022, the Order to File Case Management Report (the
12 “Order,” ECF No. 22) was filed herein, directing the filing of the Parties’ Case Management
13 Report by November 4, 2022.

14 6. The Parties have held two case conferences, an initial conference on September 26,
15 2022 and a subsequent conference after the Order on October 24, 2022.

16 7. Plaintiffs’ counsel has been working diligently to prepare the Case Management
17 Report and expects to forward a draft to counsel for Defendants in short order, but because of
18 the same medical procedure of counsel for Plaintiffs, the Parties agree to, and respectfully
19 request that the Court agree to, extend the deadline for filing of the Case Management Report,
20 also until and including November 18, 2022, to allow adequate time for the Parties to confer on
21 the draft Case Management Report.

22 8. This is Plaintiffs’ second request for an extension of time to respond to the Barnes
23 MTD and the Battle Born MTD.

24 9. This is the first request for extension of time to file the Case Management Report.

25 ///

26 ///

27 ///

28 ///

10. This stipulation is made in good faith and not in an attempt to delay proceedings.

Dated this 3rd day of November, 2022.

Dated this 3rd day of November, 2022.

/s/ John R. Funk

/s/ Sydney R. Gambee

John R. Funk, Esq. (NSB 12372)
Jeremy R. Reichenberg, Esq. (NSB 10297)
GUNDERSON LAW FIRM
3895 Warren Way
Reno, Nevada 89509

Gregory M. Saylin, Esq. (Utah Bar No. 9648)
(Pro Hac Vice pending)
Kody L. Condos, Esq. (Utah Bar No. 17186)
(Admitted Pro Hac Vice)
HOLLAND & HART LLP
222 S. Main Street, 22nd Floor
Salt Lake City, UT 84101

*Attorneys for Angel Vasquez Barnes and
Joseph Barnes*

Sydney R. Gambee, Esq. (NSB 14201)
HOLLAND & HART LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

*Attorneys for Plaintiffs Mission Healthcare
Services, LLC and Health Living at Home –
Carson City, LLC*

Dated this 3rd day of November, 2022.

/s/ Ryan D. Russell

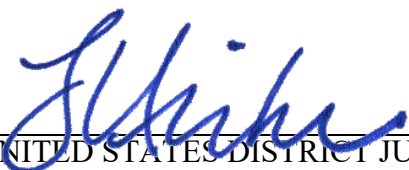
Ryan D. Russell, Esq. (NSB 8646)
ALLISON MACKENZIE, LTD.
402 N. Division Street, P.O. Box 646
Carson City, Nevada 89702

*Attorneys for Battle Born Home Health, LLC
and Jessica Connant*

ORDER

IT IS SO ORDERED. Plaintiffs shall have until and including November 18, 2022 to file their response(s) to the Barnes MTD and the Battle Born MTD. The Parties shall file their Case Management Report no later than November 18, 2022.

DATED this 7th day of November, 2022.


UNITED STATES DISTRICT JUDGE